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Division

04 Harm or endanger persons

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Description

This division comprises acts that harm or endanger persons. This includes acts that threaten, harass, accidentally injure, or neglect a person, or which unlawfully deprive another person of their freedom of movement, such as abduction, kidnapping, trafficking, slavery, or unlawful imprisonment. There is no requirement that the acts are intended to cause harm.

Subdivision

041 Human trafficking or slavery

0410 Human trafficking or slavery

Human trafficking is the facilitation of movement within and across borders for the purpose of exploiting a person's labour or services, or intimate relationship upon destination. This is typically accomplished by intimidating, coercing, or deceiving a person. Human trafficking occurs where a person organises or facilitates the movement (or proposed movement) of another person across or within a country's borders, or receives the other person, through coercion, threat, or deception and/or for the purpose of exploitation.

Inclusions:

- Debt bondage
- Deceptive recruitment for trafficking or slavery
- Forced labour
- Forced marriage
- Harbour a victim of trafficking
- Human trafficking for sex work
- Ill-treatment of a person under slavery conditions
- Servitude offences including domestic and/or sexual servitude
- Slavery conditions within a workplace
- Trafficking a person within a country or between countries
- Trafficking of human organs
- Other human trafficking or slavery offences

Exclusions:

- People smuggling – coded to 1522 Migration offences

Subdivision

042 Abduction or kidnapping

0420 Abduction or kidnapping

Abduction or kidnapping includes the unlawful taking of a person against their will, or against the will of any parent, guardian or other person having lawful custody or care of that person.

Inclusions:

- Abduct or kidnap a family member
- Attempt or threat of abduction
- Kidnap for ransom or gain
- Other abduction or kidnapping offences

Exclusions:

- Human trafficking – coded to 0410 Human trafficking or slavery
- Take a hostage in a robbery or siege where the hostage is not transported to a different location – coded to 0430 Deprivation of liberty or false imprisonment

Subdivision

043 Deprivation of liberty or false imprisonment

0430 Deprivation of liberty or false imprisonment

These offences include the unlawful confinement of a person against that person's will, or against the will of any parent, guardian or other person having lawful custody or care of that person, and not involving the transport of the person.

Inclusions:

- Imprisonment or other severe deprivation of liberty when committed intentionally or knowingly as part of a widespread or systematic attack
- Take a hostage in a robbery or siege where the hostage is not transported to a different location
- Other deprivation of liberty or false imprisonment offences

Exclusions:

- Forced marriage – coded to 0410 Human trafficking or slavery
- Leave a child locked in their own house unattended – coded to 0492 Neglect or ill-treatment of person under care
- Leave a child unsupervised in a car – coded to 0492 Neglect or ill-treatment of person under care
- Trafficking, slavery, or servitude – coded to 0410 Human trafficking or slavery

Subdivision

044 Acts that threaten, harass, or control

Description

This subdivision includes acts that harass, threaten, or invade the privacy of an individual, excluding those offences that amount to assault, sexual assault or blackmail. The action may be face-to-face, by phone, online, written or by other methods.

0441 Stalking

Stalking includes acts that cause psychological harm to a person, or to arouse apprehension or fear, through repeated pursuit, surveillance, communication, or interference.

This may include following a person, watching a person in an intrusive way, interfering with the property of a person or the property of an associate, leaving unwanted gifts at a person's home or workplace, sending offensive or excessive messages, unlawfully tracking a person or vehicle using digital technology, using third parties as intermediaries to contact or seek information about a person, or other behaviours that could be expected to cause stress, apprehension, or fear.

If stalking and harassment offences cannot be disaggregated, code to 0440.

Inclusions:

- Ongoing following, tracking, or surveillance of a person that causes fear
- Stalking behaviours that occur in person, online, via other communication or surveillance methods, or a combination of these methods
- Other stalking offences

Exclusions:

- Assault or violent threats constituting assault – coded to the relevant groups within 02 Assault
- Misuse of personal data, such as accessing data as an employee for personal gain – coded to 0841 Privacy offences
- Theft of personal data for financial gain – coded to 0841 Privacy offences

0442 Threatening behaviour

Threatening behaviour involves a declaration of an intention to injure or harm to a person, or to their property, family, or reputation. This includes giving a warning of intention to inflict a punishment or revenge – except where the threat constitutes blackmail or other extortion. The declaration may be by any method of communication.

Inclusions:

- Bomb threats
- Intimidation
- Online "trolling" involving threat

- Threat to cause fire or explosion
- Threat to destroy or damage property
- Threats to murder or injure that are not face-to-face where it is unlikely that these threats could be enacted
- Other threatening behaviour offences

Exclusions:

- Assault or violent threats that constitute assault – coded to the relevant groups within 02 Assault
- Blackmail – coded to 0520 Blackmail or other extortion
- Causing actual reputational harm – coded to 0892 Defamation
- Destruction of or damage to property – coded to the relevant groups within 11 Property damage
- Threatening behaviour in a public place without a specific victim – coded to 1213 Riot or affray

0443 Harassment or private nuisance

Harassment or private nuisance includes any acts that harass or cause nuisance to a person that do not amount to assault, sexual assault, stalking, blackmail, or extortion, and where there is no direct threat made.

If stalking and harassment offences cannot be disaggregated, code to 0440.

Inclusions:

- Nuisance phone calls, except calls to emergency services
- Ongoing interference with the enjoyment of private land
- Other harassment or private nuisance offences

Exclusions:

- Blackmail – coded to 0520 Blackmail or other extortion
- Bomb threats – coded to 0442 Threatening behaviour
- Breach legislation related to unsolicited “spam” messages – coded to 0841 Privacy offences
- Causing reputational harm – coded to 0892 Defamation
- Hoax calls to emergency services – coded to 1529 Offences against government services, nec
- Stalking – coded to 0441 Stalking

0444 Coercive control

Coercive control is an ongoing pattern of controlling and manipulative behaviours within an interpersonal relationship – usually a partner or spouse. Emotional and psychological manipulation, dishonesty and threats may be used to isolate a person, harm their health, pressure a person into undertaking unwanted acts, or restrict their freedom, autonomy or access to their own money or property.

A key feature of coercive control is that it is a pattern of behaviour over time. This group excludes offences that constitute individual instances of sexual assault, assault, forced imprisonment, stalking, harassment, threatening behaviour, property damage, harm to animals or other discrete offences, though these offences may co-occur.

Inclusions:

- Emotional, psychological, and verbal abuse
- Ongoing pattern of controlling a person by threatening their children or pets
- Reproductive coercion and abuse
- Unlawful control of a person’s access to friends, family, healthcare, or other supports
- Unlawful control of a person’s autonomy, body, finances, or other freedoms
- Other forms of coercive control

Exclusions:

- Forced marriage – coded to 0410 Human trafficking or slavery
- Neglect or ill-treatment of a person under care, such as a child or ageing parent – coded 0492 Neglect or ill-treatment of person under care
- Slavery-like conditions within a workplace – coded to 0410 Human trafficking or slavery

Subdivision

045 Driving causing serious injury

0450 Driving causing serious injury

These offences involve causing serious injury to another person or persons by recklessly or dangerously driving a vehicle. The word “drive” is used to refer to any circumstance where a person is responsible for controlling a vehicle. This includes cars, trucks, motorbikes, boats, or other vehicles

that can cause serious injury.

Inclusions:

- Culpable driving that causes serious injury
- Dangerous navigation of a vehicle, including boats, causing serious injury
- Drink-driving causing serious injury
- Drive while unlawfully using a mobile phone or other device, causing serious injury
- Drug-driving causing serious injury
- “Hit and run” offences
- Interfere with someone driving a vehicle, resulting in serious injury
- Participating in an illegal street race resulting in grievous bodily harm
- Speeding causing serious injury, including while escaping pursuit by police
- Other dangerous driving causing serious injury

Exclusions:

- Dangerous driving causing death – code to 0132 Driving causing death
- Death caused by a driver under the influence of alcohol or drugs – coded to 0132 Driving causing death
- Drink-driving without causing serious injury – coded to 1311 Drink-driving
- Driving offences that do not cause serious injury – coded to the relevant groups within 13 Traffic and vehicle offences
- Drug-driving without causing serious injury – coded to 1312 Drug-driving
- Manufacturing or design faults in vehicles leading to injury – coded to 0499 Harm or endanger persons, nec
- Using a vehicle to intentionally cause harm – code to 0212 Other serious assault

Subdivision

049 Other acts that harm or endanger persons

Description

This subdivision is for any offence that causes harm or endangerment and is not elsewhere classified.

0491 Drug or poison a person

To drug or poison a person includes actions that intentionally harm, sedate, stupefy or reduce the physical or mental capabilities of a person by use of a drug or poison. The drug or poison may be ingested, injected, or administered in another way.

Inclusions:

- Administer a drug, or poison a person, where intent is unknown
- Food or drink spiking
- Inject a person with a drug against their will
- Use deceit or coercion to induce a person to consume a drug or poison
- Other offences involving drugging or poisoning another person

Exclusions:

- Cause illness through mishandling of food or food preparation – coded to 1231 Sanitation or disease offences
- Drug or poison leading to death – coded to the relevant groups in 01 Homicide
- Drug or poison with intent to rape – coded to 0311 Unlawful sexual penetration of an adult
- Intentionally contaminate drinking water – coded to 0499 Harm or endanger persons, nec
- Medical negligence involving harmful administration of drugs – coded to 0492 Neglect or ill-treatment of person under care
- Sale of drugs – coded to the relevant groups in 092 Distribute or deal drugs
- Unlawful self-administration of drugs – coded to 0942 Unlawful use of drugs

0492 Neglect or ill-treatment of person under care

This group includes the ill-treatment or wilful neglect of a person under care, causing actual or potential harm that does not amount to assault. It may occur in domestic, residential, or institutional settings, and the carer may be a family member, in a paid or unpaid role. An intent to harm is not required for these offences.

Inclusions:

- Child neglect including leaving a child unsupervised in a car, or locked in their own house unattended
- Fail to enrol a school-aged child in school

- Medical negligence or malpractice causing harm but not death
- Neglect or ill-treatment of elderly persons, disabled persons, or patients under care
- Unlawfully perform or prevent access to medical treatment or procedures
- Other neglect or ill-treatment of a person under care

Exclusions:

- Ill-treatment of a person under slavery conditions – coded to 0410 Human trafficking or slavery
- Ill-treatment or neglect leading to death – coded to 0131 Manslaughter
- Intentionally harming or injuring a person – coded to the relevant groups in 02 Assault
- Medical negligence or malpractice leading to death – coded to the relevant groups in 01 Homicide
- Sexual assault of a person under care – coded to relevant groups in 03 Sexual offences
- Unsafe work conditions – coded to 1292 Occupational safety offences

0493 Failure to report child abuse

This group includes offences relating to circumstances where a person had a legislative obligation to report or protect against child abuse, including physical and/or sexual abuse, and failed to do so.

Legislative obligations may vary between jurisdictions.

Inclusions:

- Fail to protect from child abuse, including reducing or removing risk
- Fail to report child abuse where there is a legal obligation to do so
- Other failure to report child abuse

Exclusions:

- Assist in child procurement – coded to 0330 Child procurement and grooming

0494 Reckless endangerment

This group includes acts that recklessly endanger the safety or life of one or more people. It does not include offences that intentionally cause harm to a specific person, or neglect of a person under care. The reckless act may or may not cause harm.

Inclusions:

- Cause accidental injury by recklessly operating a machine (not including a vehicle)
- Causing grievous bodily harm as an owner of a dangerous dog or restricted breed dog
- Reckless acts not causing injury
- Throw or drop objects onto or towards a road, freeway, trainline, vehicle, or similar
- Other reckless endangerment offences

Exclusions:

- Arson – coded to the relevant groups in 111 Arson
- Food or drink spiking – coded to 0491 Drug or poison a person
- Medical negligence or malpractice, including harmful administration of drugs, not leading to death – coded to 0492 Neglect or ill-treatment of person under care
- Neglect by a parent, guardian, or other responsible person – coded to 0492 Neglect or ill-treatment of person under care
- Reckless acts causing death – coded to 0131 Manslaughter
- Reckless driving causing death – coded to 0132 Driving causing death
- Reckless driving causing serious injury – coded to 0450 Driving causing serious injury
- Reckless driving not causing serious injury – coded to 1324 Reckless driving not causing serious injury

0499 Harm or endanger persons, nec

This group includes acts that harm and/or endanger one or more people that are not elsewhere classified.

Acts that recklessly endanger others are coded to 0494 Reckless endangerment. Therefore, offences coded here are either intended to cause harm, or may be neglectful or accidental rather than reckless.

Inclusions:

- Create a hazard with intent to cause human injury
- Incite self-harm, excluding inciting suicide
- Incite violence towards an individual person

- Intentionally contaminate drinking water
- Manufacturing or design faults in vehicles leading to injury
- Recruit a child to engage in criminal activity
- Tamper with aircraft to endanger safety
- War crimes not elsewhere classified
- Other acts that cause intentional harm, or harm through accident or neglect, not elsewhere classified

Exclusions:

- Acts that cause environmental harm – coded to relevant groups within 16 Environmental offences
- Drink or drug driving – coded to the relevant groups in 131 Drink or drug driving
- Driving causing serious injury – coded to 0450 Driving causing serious injury
- Intentional acts that harm a specific victim – coded to the relevant group in 02 Assault
- Jaywalking and other pedestrian offences – coded to 1393 Pedestrian offences
- Non-compliance with public health legislation – coded to relevant groups within 123 Public health regulatory offences
- Throw or drop objects onto or towards a road, freeway, trainline, vehicle, or similar – coded to 0494 Reckless endangerment